

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

M.M.,

Plaintiff,

v.

TACOMA SCHOOL DISTRICT NO 10,
Defendants.

Case No. 3:21-cv-05865-TMC

ORDER APPROVING MINOR
SETTLEMENT

THIS MATTER having come on for hearing before the undersigned judge of the above-entitled Court upon the Petition filed herewith for the approval of the settlement of O.M.'s claims (Dkt. 147); Beth D. Lambert having previously been duly appointed as the Settlement Guardian Ad Litem, and having filed a report dated December 16, 2024 (Dkt. 145) recommending approval of the settlement; and, the Court having reviewed the files and records herein, including the above-referenced Petition and Settlement Guardian ad Litem's written report; and, having determined that proper notice of this hearing was provided to all interested persons; and, the Court being otherwise fully advised in the matters presented to it; and the Court specifically finding that the Petition for Approval of Settlement is well-taken and the Court

1 having concluded that the settlement is fair, reasonable, and is in O.M.'s best interests and
 2 therefore should be approved; **NOW, THEREFORE,**

3 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the settlement as
 4 outlined in the Petition to Approve Minor Settlement (Dkt. 147) is hereby approved by the Court
 5 as reasonable and appropriate, the terms of which are outlined below:

6 The total amount of the settlement is \$1,450,000.00. Within 30 days of the date of this
 7 order, Defendants shall issue a check in the amount of \$1,450,000.00 in full and complete
 8 settlement of the claims of Plaintiffs against Defendant, to the client trust account of the Pfau
 9 Cochran Vertetis Amala PLLC Law Firm.

10 Plaintiff O.M. shall pay her attorney's fees and pro rata share of the costs in accordance
 11 with her retainer agreement. The \$1,450,000.00 settlement with the minor O.M. shall be
 12 apportioned as follows:

| | | |
|----|-----------------------------------|---------------------|
| 13 | Proposed Gross Settlement | \$1,450,000.00 |
| 14 | Less Attorney's Fees (40%) | \$580,000.00 |
| 15 | Less LGAL Fees | \$4,540.00 |
| 16 | Less Costs Advanced (PCVA) | \$144,099.91 |
| 17 | Less Costs Advanced (Doug Tufts) | \$8,304.51 |
| 18 | Less Trust Legal Fees (estimated) | \$5,000.00 |
| 19 | Net Funds to the Minor | \$708,055.58 |

20 The net funds to Plaintiff O.M. totaling \$708,055.58 shall be distributed to O.M. to be
 21 held in trust for the sole benefit of O.M. Plaintiff's counsel shall submit the terms of the trust and
 22 selection of the trustee for court approval in a state court action consistent with requirements of
 23 SPR 98.16W(j). The Pfau Cochran Vertetis Amala PLLC law firm shall hold in its IOLTA trust
 24 the \$5,000.00 for estimated legal trust fees associated with the establishment of a trust for O.M.


1 The net settlement monies allocated to O.M. totaling \$708,055.58 shall be held in trust for the
2 sole benefit of O.M. and shall be otherwise governed by the terms of the trust as approved by the
3 state court.

4 It is **ORDERED** that Angela Macey-Cushman, LGAL of O.M., is authorized to execute
5 all settlement and other papers, including but not limited to release of claim documents, required
6 to finalize and effectuate this settlement agreement.

7 It is **ORDERED** that proof of (1) the establishment of a trust, and (2) a receipt of deposit
8 of funds in the trust, shall be filed by O.M.'s attorney with this Court within ninety (90) days,
9 with a copy to the Settlement Guardian ad Litem. After proof of the establishment of a trust and
10 a receipt of deposit of funds in the trust are filed with the Court, the parties shall submit a
11 stipulated motion and proposed order to dismiss the case.

12 It is **ORDERED** that reasonable fees and costs of Settlement Guardian ad Litem Beth D.
13 Lambert in the amount of \$7,138.00 and of Litigation Guardian ad Litem Angela Macey-
14 Cushman in the amount of \$4,540.00 are hereby approved. The LGAL fee is paid out of the
15 settlement proceeds. Defendants shall pay \$7,138.00 to Beth Lambert within 30 days of this
16 Order. Upon filing of a receipt of deposit of funds as stated below, Beth Lambert will be
17 discharged from her services as Settlement Guardian ad Litem.

18
19 Dated this 29th day of January, 2025.

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21 _____
22 Tiffany M. Cartwright
23 United States District Judge
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